

North Carolina State Board of Elections

Candidates for United States Congress in 2020

1) **Qualifications.** [N.C. Const. Art. VI § 6, 8](#); [U.S. Const. Art. I §§ 2, 3](#)

- **U.S. House**

- 25 years of age or older by the date of the general election
- A U.S. citizen for at least 7 years
- A resident of the state when elected (a candidate running for U.S. House is not required to be a resident of the congressional district in which the candidate is seeking election)
- A registered voter of the state.¹

- **U.S. Senate**

- 30 years of age or older by the date of the general election
- A U.S. citizen for at least 9 years
- A resident of the state when elected
- A registered voter of the state.²

2) **What action is required for a person to have his or her name entered on the ballot for the primary election?** Typically, a person seeking office pays a filing fee and files a notice of candidacy during the filing period designated by statute.

- **Filing fee.** The filing fee is 1% of the annual salary of the office sought.³
- **In lieu of filing fee:** it is possible to avoid the filing fee by submission of a petition signed by registered voters.⁴ Please see the fact sheet “Petition in lieu of Filing Fee” located on the candidate filing page: <https://www.ncsbe.gov/Elections/Candidate-Filing> of this agency’s website.
- **Form to file.** Each candidate must file a notice of candidacy⁵ with the North Carolina State Board of Elections. A specific form is required for this purpose and will be made available near the filing period under the caption “Candidate Forms” on the Candidate Filing page: <https://www.ncsbe.gov/Elections/Candidate-Filing> of this agency’s website. Filings submitted prior to the filing period will not be accepted.

¹ But see *U.S. Terms Limits, Inc. v. Thornton*, 514 U.S. 779 (1995).

² But see *U.S. Terms Limits, Inc. v. Thornton*, 514 U.S. 779 (1995).

³ Filing Fee: [prev. § 163-107] text currently available online under § [163A-979](#). The amount of the fee is calculated each year upon finalization of the budget for that year. In 2018 the fee was \$1,740.00.

⁴ Petition in lieu of filing fee: [prev. § 163-107.1] text currently available online under § [163A-980](#).

⁵ Notice of candidacy: [prev. § 163-106] text currently available online under § [163A-972](#)

- **Certification of affiliation.** At the time of filing, each candidate must also file a certificate signed by the director or chair of the county board of elections where the candidate currently resides. The certification states the party with which the candidate is affiliated and affirms that the candidate has not changed party affiliation in the past 90 days.⁶
- **Felony record.** The notice of candidacy form includes questions about any previous felony convictions of the candidate; if there are any convictions, additional information is required on a separate form within 48 hours of submitting the notice of candidacy. Active felons who have not had their citizenship rights fully restored (completion of any felony sentence, including any period of probation, parole, or supervised release) are not eligible to be registered to vote or to run for elected office.⁷
- **Party affiliation.** A candidate must be a registered voter affiliated with the same political party in which he or she intends to file. A person changing party affiliation must do so more than **90** days prior to the date the candidate files.⁸

3) Seeking office without filing in a primary:

- A candidate who wishes to run as **unaffiliated**⁹ should review the fact sheet, “Unaffiliated Candidate” on the petition page: <https://www.ncsbe.gov/petition-info> of this agency’s website.
- A candidate who wishes to run as a **write-in**¹⁰ should review the fact sheet, “Write-in Candidate” on the petition page: <https://www.ncsbe.gov/petition-info> of this agency’s website.

4) **Single Office Contest.** No one may file for more than one office in the same election (with exceptions for elections to fill vacancies for US Senate or US House).¹¹

5) **Is a primary always necessary?**¹²

No, a filed primary candidate who remains unopposed after the close of the filing period will be certified as his or her party’s nominee without the need for a primary. This event typically occurs when no one challenges an incumbent for a given office. Unopposed, certified nominees will be listed on the General Election ballot as the nominee of his or her party for the office in contest.

⁶ Certificate of affiliation: [prev. § 163-106(f)] text currently available online under § [163A-977](#).

⁷ Felony Disclosure required: [prev. § 163-106(a1)]; text currently available online at § [163A-972\(e\)](#); Exclusion from electoral franchise: [prev. § 163-55(a)(2)]; text currently available online at § [163A-841\(a\)\(2\)](#).

⁸ Party affiliation requirement: [prev. § 163-106(f)]; text currently available online under § [163A-977](#)

⁹ Unaffiliated candidate: [prev. § 163-122]; text currently available online under § [163A-1005](#).

¹⁰ Write-in candidate: [prev. § 163-123]; text currently available online under § [163A-1006](#).

¹¹ Prohibition on certain dual candidacies [prev. § 163-106(h); text currently available online under § [163A-978](#), but note exception for elections for vacancies for US Senate [prev. § 163-12]; and US House [prev. 163-13], texts currently available online under §§ [163A-720](#) and [163A-721](#).

¹² Nominee without primary: [prev. § 163-110]; text currently available online under § [163A-983](#).

6) **When is the filing period?**¹³

Because the primary has now moved to March, the filing period for the 2020 General Election will occur in 2019. Filing begins at noon on **Monday, December 2, 2019** and ends at noon on **Friday, December 20, 2019**.

7) **Election Dates for 2020:**¹⁴

- **Primary:** The Tuesday after the first Monday in March preceding the general election: **Tuesday, March 3, 2020**
- **Second primary** (will only be held in certain circumstances, and if requested by a candidate)¹⁵
 - If any federal office contest requires a second primary, all second primaries will be held **Tuesday, May 12, 2020**
 - If no federal office contest requires a second primary, any second primaries will be held **Tuesday, April 21, 2020**
- **General election:** The Tuesday after the first Monday in November, **Tuesday, November 3, 2020**.

8) **What are the campaign reporting requirements?**¹⁶

Campaign reporting requirements for candidates to Congress are provided by the Federal Election Campaign Act of 1971, P.L. 92-225, as amended ([Title 252, U.S.C. Chapter 301](#)).

Candidates for Congress should contact the Federal Election Commission (FEC) for requirements for registering a campaign finance committee. The FEC has a toll-free phone number, 1-800-424-9530 and a website: www.fec.gov.

Candidates for Congress need not register a campaign finance committee with the North Carolina State Board of Elections unless they intend to contribute to other North Carolina candidates.

¹³ Filing period [prev. § 163-106(c)]; text currently available online under [§ 163A-974](#).

¹⁴ Election Dates: [prev. § 163-1]; text currently available online under [§ 163A-700](#).

¹⁵ Second Primary: [prev. § 163-111]; text currently available online under [§ 163A-984\(e\)](#).

¹⁶ Campaign Reporting: [prev. § 163-278.30]; text currently available online under [§ 163A-1448](#).